

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court  
Southern District of Texas  
FILED

## UNITED STATES DISTRICT COURT

JAN 12 2017

for the

Southern District of Texas

. Clerk of Court

United States of America

v.

Case No.

M-17-0067-M

1 Guadalupe Artemio Gomez  
2 Luis Antonio Rodriguez  
3 Rogelio Ramos, Jr.**SEALED**

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 05/01/2016 to 9/01/2016 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

Code Section

18 U.S.C. § 1343

Offense Description

Wire Fraud

This criminal complaint is based on these facts:

Please see attached Affidavit.

☒ Continued on the attached sheet.  
Complainant's signature

Joshua Bañuelos, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 01/12/2017  
Judge's signatureCity and state: McAllen, Texas

Hon. Diana Song Quiroga, U.S. Magistrate Judge

Printed name and title

Attachment

I, Joshua Bañuelos ("Affiant"), a Special Agent (SA) with the Federal Bureau of Investigation (FBI), San Antonio Division, McAllen Resident Agency, McAllen, Texas, being duly sworn, depose and state as follows:

The FBI has been involved in an ongoing investigation into Guadalupe Artemio Gomez, Rogelio Ramos Jr., and Luis Antonio Rodriguez operating under the name of T.G. and Wealth, Infinite Properties, and Me In 3D. Gomez, Ramos, and Rodriguez have represented that they provide "second chance" financing to home buyers who cannot qualify for conventional home financing.

In or about June 2012, Rogelio Ramos, Jr. (Ramos) filed an assumed name certificate with the state of Texas for Infinite Properties (IP). Ramos is listed as the Owner for IP and filed the business address in, Pharr, Texas.

In or about April 2016, Luis Rodriguez (Rodriguez) worked with Ramos at IP and also established Me In 3D, LLC, located in McAllen, Texas. During this time, Me In 3D, LLC and IP shared the same office space in McAllen, Texas. Both companies operated out of the same location. A review of the accounts belonging to IP and Me In 3D indicates that Ramos and Rodriguez would transfer money between the two accounts.

Ramos and Rodriguez established a business relationship with Gomez operating as T.G. & Wealth, LLC (TGW). TGW primary business was located in Mission, Texas.

Beginning in or about May 2016, Gabriela Gonzalez (Gonzalez), a real estate agent employed at Century 21 located San Antonio, Texas was introduced to TGW through their representative Carlos Ramon Menendez Stanziola ("Stanziola"). Gonzalez understood that TGW and IP were business partners and TGW was the broker for IP. Stanziola advised Gonzalez that TGW/IP offered financing opportunities to the clients who had bad credit and/or no social security number, but who could afford to pay a down payment of 10% toward the purchase price of the property. According to Stanziola, TGW/IP conducted business in McAllen, Brownsville, and Houston, Texas and wanted to expand their business in the San Antonio area. Based on these assertions, Gonzalez another Century 21 real estate agent, Joseph Cuellar, referred clients who had already selected homes they wished to purchase to TGW/IP through Stanziola for home loan financing.

Gonzalez requested proof of funds from Gomez and TGW to determine if TGW and IP had sufficient funding to conduct the transactions with her clients. On or about May 6, 2016, Gomez sent an email using email address info@tgprivatewealth.com to Gonzalez transmitted by means of a wire communication in interstate commerce. The email purported to contain a Bank of America account statement for April 1, 2016 to April 30, 2016. Gomez' name and telephone number was printed on the email. The account statement purported to display a redacted account number ending in 5159, a beginning balance on April 1, 2016 of \$3,844,472.45, and an ending balance on April 30, 2016 of \$4,691,835.74. The document listed the account holder as Infinite Properties. Based on the Bank of America statement, Gonzalez felt more confident recommending TGW/IP to her clients and directed them to meet with Stanziola. During those meetings with Stanziola, prospective buyers were given paperwork to apply for home loan financing with

TGW/IP. Once the buyers, were approved they submitted their down payment to TGW/IP with the understanding that the funds would be applied toward the purchase of their houses. After making their down payments, the buyers completed what they were told were contracts with TGW/IP and were told their title closings would take place within a designated period of time.

In or about June 2016, Gonzalez referred Ana Blackford (Blackford) to Stanziola. Blackford met with Stanziola and provided him with a cashier's check payable to IP. Stanziola told Blackford he was an associate with IP and IP could help Blackford finance a home. Blackford wanted to purchase a home in Canyon Lake, Texas and paid \$18,633, which was 10% of the purchase price of the Canyon Lake property. Blackford signed a purchaser contract with Stanziola and Stanziola took possession of the cashier's check. Stanziola told Blackford the cashier's check would not be deposited or cashed until the scheduled closing date of July 29, 2016. Blackford understood that after the title closing was complete, she would make her monthly mortgage payments to IP. Stanziola told Blackford that she had the option to refinance at a later time and the loan through IP would help her credit score.

In or about June 2016, Steve Thatcher (Thatcher) Amanda Gallardo (Gallardo) were introduced to William Joseph Campbell (Campbell). Thatcher's real estate agent, Joseph Cuellar, introduced Campbell to Thatcher and Gallardo in an attempt to assist them purchase a home. Campbell presented himself as a representative of IP. Base on representations from Campbell, Thatcher and Gallardo believed that IP would broker the purchase and sale of the property, along with providing financing. Thatcher and Gallardo wanted to purchase the residence that Thatcher was currently renting in Devine, Texas. The seller was asking approximately \$187,000 and Thatcher was prepared to pay \$150,000 as a down payment.

In or about July 2016, Thatcher and Gallardo, met Campbell and Cuellar at Cuellar's business office located in San Antonio, Texas. Thatcher and his Gallardo wired \$150,000 from Gallardo's bank account at Security Service Federal Credit Union to IP's bank account at BBVA Compass Bank.

Neither Blackford nor Thatcher and Gallardo's title closings took place as scheduled. Blackford, Thatcher and Gallardo were not able to finalize the purchase of their properties. Upon learning that the closing did not occur, Gonzalez spoke with Gomez on behalf of Blackford. Gomez told Gonzalez that he was awaiting a wire transfer to fund the purchase for Blackford. Gomez sent Gonzalez an email transmitted by wire communication in interstate commerce attaching a letter from IP signed by Ramos and Rodriguez. Rodriguez and Ramos stated in the letter that the delay was temporary. Based on the representations from IP, the seller of Blackford's property agreed to extend the scheduled title closing date.

Additionally, in or about July 2016, in an attempt to ease concerns about the pending transactions, Gomez sent Gonzalez a copy of a letter from Cascade Financial (Cascade), a lending institution located Bend, Oregon. The letter was addressed to Ramos, operating as Me In 3D, stating that Me In 3D was pre-approved for a loan of \$10,000,000. The letter also explained Cascade was working to gather the necessary information needed to complete the funding.

In or about August 2016, Thatcher and Gallardo's title closing date did not occur and they contacted Cuellar in order to receive an updated status on the property. Thatcher demanded the \$150,000 be returned but did not receive it. Thatcher contacted the seller of the property and the seller advised

Thatcher she was not aware of his wire transaction of \$150,000. The seller indicated she had not been involved in any transaction with Campbell and IP. No funds have been returned to Thatcher and Gallardo from the \$150,000 wired to IP.

In August 2016, the sellers of the property cancelled the transaction with Blackford and sold the property to another buyer. No funds have been returned to Blackford from the \$18,633 down payment to IP.

In August 2016, the business office of Me In 3D and IP in McAllen, Texas was vacated. The leasing manager of the property advised that the leasing contract for Me In 3D and IP was terminated and the office is no longer occupied by either company.

Using email address [louiervp@yahoo.com](mailto:louiervp@yahoo.com), Rodriguez sent an email transmitted by means of a wire communication in interstate commerce to Gonzalez stating Rodriguez hired an attorney to get the funds back from the finance company that took the down payments.

On September 21, 2016, Special Agent Joshua Banuelos contacted the Law Enforcement Hotline for Bank of America and requested a search for an account in the name of IP. The Hotline advised there was no account in existence for IP in McAllen, Texas. On September 21, 2016, Agent Banuelos visited a local Bank of America branch and was also advised that no account existed in the name of IP.

Subsequent examination of bank records indicate that the bank records sent from Gomez to Gonzalez in May 2016 were fraudulent. Bank of America confirmed that no account existed for IP in the Bank of America system during the relevant period of time. Records further reveal that Gomez owned an account with Bank of America. Gomez' account number was identical to the emailed Bank of America statement excepting one digit's difference. Additionally, Gomez' account did not contain the amount of funds purported in the email to Gonzalez.

In December 2016, Rodriguez voluntarily spoke to FBI agents and gave a non-custodial statement. In that statement, Rodriguez indicated that the scheme devised by IP involved offering terms to people seeking "second chance" financing at 10% of the down payment up front and 8.5% interest rate on their loan for a term of 20 years. To facilitate this scheme or artifice, Rodriguez and Ramos recruited people to bring prospective home buyers to IP. It was in this role that Gomez, as TGW, was brought into the scheme.

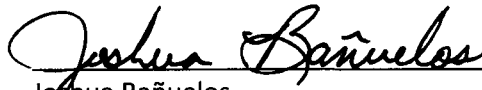
Gomez' role was to advertise the program for IP and recruit prospective home buyers. Gomez was to be paid a commission of 10% of the down payments.

Rodriguez stated that IP had been seeking financing from Cascade Financial to obtain a \$10,000,000 loan to fund the scheme. In anticipation of the loan, Gomez, Rodriguez, and Ramos collected down payments on houses in accordance with the advertised terms. However, despite assurances made to the prospective buyers that these monies would be used toward the purchase of their homes, Gomez, Rodriguez, and Ramos spent these monies for their own purposes. Rodriguez stated that he and Ramos never planned to apply the down payments toward the purchases of the properties. As part of the scheme that the properties would be paid fully by the loan from Cascade. Rodriguez admitted that the monies brought in

from individuals such as Thatcher and Blackford were used to pay for a trip to Las Vegas, Nevada for Gomez, Rodriguez, and Ramos.

Rodriguez admitted that the TGW/IP accepted and spent these down payments knowing that they had not received financing from Cascade for the purchases of the homes.

Gomez, Rodriguez, and Ramos knowingly devised or intended to devise any scheme to defraud, that is by fraudulently representing that TGW/IP had the ability at the time of the purchase agreements to purchase the properties sought by Blackford, Thatcher and Gallardo and that the down payment would be used to purchase said properties. Furthermore, that Gomez, Rodriguez and Ramos transmitted or caused to be transmitted by wire communications, in interstate commerce, any writing for the purpose of executing said scheme; and that Gomez, Rodriguez and Ramos acted with specific intent to defraud.

A handwritten signature in black ink, reading "Joshua Bañuelos". The signature is written in a cursive style with a horizontal line underneath the name.

Joshua Bañuelos

Special Agent

Federal Bureau of Investigation